

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CATHY D. BROOKS-MCCOLLUM, et al.)	
)	
Plaintiff,)	Civil Action No. 04-419 JJF
)	
v.)	
)	
STATE FARM INSURANCE COMPANY,)	
)	
Defendant.)	

OBJECTION TO REQUEST FOR ADMISSION

The defendant objects to the Request for Admissions filed by plaintiff. The Request for Admissions were served directly upon State Farm and not defense counsel. Further, the Request is directed to Ed Dillon, an employee of State Farm and not to State Farm. Rule 36 specifically states that a party may serve upon any other party a written Request for Admissions.

Subject to the above objection, State Farm hereby answers to the Requests.

1. Denied.
2. Yes.
3. Ed Dillon has no information in which to answer this request. Affirmative defenses were raised by the attorney.
4. Admitted.
5. Denied.
5. [sic there are two number 5's] Denied as stated. The captions speak for themselves.
6. Denied.
7. This Request for Admission is improper. However, Mr. Dillon represents that she retained Edward Kafader to represent the interest of Emerald Ridge Service Corporation, its insured.

8. It is admitted that State Farm hired Ed Kafader to represent the insured which included officers and directors of Emerald Ridge.
9. Denied as stated. It is admitted that State Farm retained the services of Edward Kafader to represent Emerald Ridge Service Corporation. Any correspondence between Mr. Kafader and the corporation were not directed by Mr. Dillon.
10. Denied.
11. Denied as stated. It is admitted that Mr. Kafader kept State Farm advised of activities in the case.
12. Denied.
13. Denied.
14. Denied.
15. Denied.
16. Denied.
17. Denied.
18. Denied.
19. Denied.
20. Denied.
21. Denied.
22. Denied.
23. Denied.
24. Denied.
25. Denied.
26. Denied.

27. Denied.

28. Denied.

29. It is admitted that State Farm retained Ed Kafader to represent Kenneth Shareef in actions where it was alleged that Shareef was an officer or director. The balance of the averment is denied.

30. Denied.

31. Denied.

32. Denied.

33. Denied.

34. Denied.

35. Denied.

36. Denied.

37. Denied.

38. Denied.

39. Denied.

40. Denied.

41. Denied.

42. Denied.

43. Denied.

44. The answering party cannot admit or deny the averment as asked. State Farm intends to rely upon all valid defenses.

45. Denied.

46. State Farm cannot answer the Request for Admission. The affirmative defense of statute of

limitations was raised by counsel.

47. Denied.

48. Denied.

49. Denied.

50. Denied.

51. Denied.

52. Denied.

53. Admitted.

54. Denied.

55. Denied that Mr. Dillon maintains liability coverage to cover him in this lawsuit.

56. Denied as stated. Cathy Brooks-McCollum is not a defendant in the lawsuit.

57. Denied as stated. State Farm did not maintain insurance but issued a policy of insurance covering Emerald Ridge Service Corporation.

58. It is admitted that the State Farm file contains insurance policies insuring Emerald Ridge Service Corporation. The balance of the request is denied.

59. Denied.

60. Denied.

61. Denied.

62. Denied.

63. Denied.

64. Mr. Dillon is unable to admit or deny the request as presented. The names of the witnesses have not been supplied. Therefore, defendant issues a general denial.

65. Denied.

- 66. Denied.
- 67. Denied.
- 68. Denied.
- 69. Denied.
- 70. The defendant is unable to admit or deny this request since it is not a Request for Admission.

CASARINO, CHRISTMAN & SHALK, P.A.

/s/ Stephen P. Casarino
STEPHEN P. CASARINO, ESQUIRE
BAR I.D. NO. 174
800 North King Street, Suite 200
Wilmington, DE 19801
Attorney for Defendant

CERTIFICATE OF SERVICE

I, Stephen P. Casarino, Esq., hereby certify that I have caused to be deposited in the mailbox at 800 North King Street, Suite 200, Wilmington, DE 19801, on this 22nd day of August 2007, a true and correct copy of the attached Objection to Request for Admission to:

Cathy D. Brooks-McCollum
115 Emerald Ridge Drive
Bear, DE 19701

CASARINO, CHRISTMAN & SHALK, P.A.

/S/ Stephen P. Casarino
Stephen P. Casarino, Esq.
I.D. No. 174
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P.O. Box 1276
Wilmington, DE 19899-1276
Attorney for the Defendant